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INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KIMBERLEY ANN WOO, AS TRUSTEE
OF THE WILBUR AND DOLORES L.
WOO 1987 IRREVOCABLE TRUST,

Plaintiff,

vs.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, and DOES 1
through 10,

Defendants.

No. C 06-03545 CRB

(San Francisco Superior Court
Case No. CGC 06-451976)

Complaint Filed: May 5, 2006

STIPULATION AND ~~PROPOSED~~
ORDER RE CONTINUANCE OF CASE
MANAGEMENT CONFERENCE

STIPULATION

Pursuant to this court's order of August 14, 2006 referring this case to mediation, mediation was previously scheduled to go forward on December 6, 2006 with Arnold B. Haims. Following investigation and discovery, plaintiff's counsel determined that it would be advisable to include a third party, attorney Richard S. Linder (and his insurer) in the mediation of this matter. Accordingly, a stipulation and proposed order to extend time in which to conduct the mediation was submitted to the court, to give Mr. Linder and his insurance carrier time to become conversant with the case in order to attend the mediation in a meaningful manner. On November 28, 2006, this court granted the stipulation and order, extending the deadline for mediation up to and including February 26, 2007.

On November 28, 2006, attorney Jerry Hauser of the law firm of Phillips, Greenberg & Hauser in San Francisco contacted counsel for plaintiff and advised that he had been retained by Mr. Linder's insurance carrier, Liberty Mutual, to represent Mr. Linder. On November 28, 2006, copies of the general pleadings, discovery pleadings, responses to discovery and a copy of Mr. Linder's deposition transcript were sent by overnight mail to the offices of Mr. Hauser for his review.

Mr. Hauser indicated that Mr. Linder and Liberty Mutual would be willing to voluntarily attend the mediation in an effort to resolve the case, without the necessity of amending the complaint to formally assert a cause of action against Mr. Linder. Accordingly, it is anticipated that as soon as Mr. Hauser has had an opportunity to review the pleadings and documents provided, mediation will be rescheduled with Mr. Haims within the extended jurisdictional period for completion of mediation.

WHEREAS, the parties will be rescheduling the mediation to take place before February 26, 2007, the parties request that the current case management conference set for December 15,

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STIPULATION AND ORDER RE: CONTINUANCE OF CMC